

State of Arizona  
Senate  
Forty-eighth Legislature  
Second Regular Session  
2008

# **SENATE BILL 1192**

AN ACT

AMENDING SECTION 13-2702, ARIZONA REVISED STATUTES; RELATING TO PERJURY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2       Section 1. Section 13-2702, Arizona Revised Statutes, is amended to  
3 read:

4           13-2702. Perjury: immunity: classification

5       A. A person commits perjury by making either:

6           1. A false sworn statement in regard to a material issue, believing it  
7 to be false.

8           2. A false unsworn declaration, certificate, verification or statement  
9 in regard to a material issue that the person subscribes as true under  
10 penalty of perjury, believing it to be false.

11          B. IF A PERSON IS GRANTED IMMUNITY FROM PROSECUTION OR ENTERS A PLEA  
12 AGREEMENT AND THE PERSON SUBSEQUENTLY COMMITS A VIOLATION OF THIS SECTION IN  
13 A CRIMINAL PROSECUTION THAT IS RELATED TO THE IMMUNITY OR PLEA AGREEMENT, THE  
14 STATE MAY WITHDRAW FROM THE IMMUNITY AGREEMENT OR PLEA AGREEMENT AND THE  
15 COURT SHALL REINSTATE THE ORIGINAL CHARGE OR CHARGES AGAINST THE PERSON.

16          B. C. Perjury is a class 4 felony EXCEPT THAT IF THE PERJURY IS  
17 COMMITTED IN FURTHERANCE OF A PROSECUTION AGAINST A DEFENDANT FOR A CLASS 1,  
18 2 OR 3 FELONY, THE OFFENSE OF PERJURY CARRIES THE FOLLOWING CLASSIFICATION,  
19 REGARDLESS OF THE OUTCOME OF THE CASE AGAINST THE DEFENDANT:

20           1. IF THE DEFENDANT IS BEING PROSECUTED FOR A CLASS 1 OR 2 FELONY,  
21 PERJURY IS A CLASS 2 FELONY.

22           2. IF THE DEFENDANT IS BEING PROSECUTED FOR A CLASS 3 FELONY, PERJURY  
23 IS A CLASS 3 FELONY.